

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Civil Action No.

\$5,899.79 FORMERLY CONTAINED IN PNC
BANK ACCOUNT #xxxxxx4718;

\$6,330.58 FORMERLY CONTAINED IN PNC
BANK ACCOUNT #xxxxxx5719;

\$10,390.75 FORMERLY CONTAINED IN PNC
BANK ACCOUNT #xxxxxx5735;

\$43,012.71 FORMERLY CONTAINED IN PNC
BANK ACCOUNT #xxxxxx2205;

\$700,706.95 FORMERLY CONTAINED IN PNC
BANK ACCOUNT #xxxxxx7967;

\$5,008.77 FORMERLY CONTAINED IN FIRST
NATIONAL BANK ACCOUNT #xxxxx6181;

\$50,927.80 FORMERLY CONTAINED IN FIRST
NATIONAL BANK ACCOUNT #xxxx2359;

\$293,183.97 FORMERLY CONTAINED IN
FIRST COMMONWEALTH BANK ACCOUNT
#xxxxxx1212;

ALL FUNDS CONTAINED IN WELLS FARGO
INVESTMENT ACCOUNT #xxxx-2130;

ALL FUNDS CONTAINED IN MORGAN
STANLEY INVESTMENT ACCOUNT
#xxx-xxxxx8-383;

ALL FUNDS CONTAINED IN MORGAN
STANLEY INVESTMENT ACCOUNT
#xxx-xxxxx2-383;

2014 FORD FOCUS HATCHBACK, VIN#
1FADP3N26EL463197;

2014 WHITE MERCEDES BENZ E25 SEDAN,
VIN# WDDHF9HB2EA946345;

2014 SILVER MERCEDES BENZ GL450, VIN#
4JGDF7CEXEA306071;

2013 MD MERIDIAN 441SB SDN MOTOR
YACHT, HULL NUMBER MDND7522C313
441SB522;

Defendants.

VERIFIED COMPLAINT FOR FORFEITURE

AND NOW comes the United States of America by and through its counsel, David J. Hickton, United States Attorney for the Western District of Pennsylvania, and Lee J. Karl, Assistant United States Attorney for the Western District, and respectfully represents as follows:

1. Plaintiff, the United States of America, brings this civil action *in rem* for forfeiture to the United States of the following assets pursuant to 18 U.S.C. § 981(a)(1)(C):
 - a. \$5,899.79 formerly contained in PNC Bank Account #xxxxxxx4718 in the names of Cynthia Mills and Gary Mills;
 - b. \$6,330.58 formerly contained in PNC Bank Account #xxxxxxx5719 in the names of Cynthia Mills and Gary Mills;
 - c. \$10,390.75 formerly contained in PNC Bank Account #xxxxxxx5735 in the names of Cynthia Mills and Gary Mills;
 - d. \$43,012.71 formerly contained in PNC Bank Account #xxxxxxx2205 in the name of Cynthia Mills;
 - e. \$700,706.95 formerly contained in PNC Bank Account #xxxxxxx7967 in the names of Cynthia Mills and Gary Mills;

- f. \$5,008.77 formerly contained in First National Bank Account #xxxxx6181 in the name of Cynthia Mills;
 - g. \$50,927.80 formerly contained in First National Bank Account #xxxx2359 in the name of Cynthia Mills d/b/a Designs by Cindy;
 - h. \$293,183.97 formerly contained in First Commonwealth Bank Account #xxxxxx1212 in the name of Gary Mills;
 - i. All funds contained in Wells Fargo Account #xxxx-2130 in the names of Cynthia Mills and Gary Mills;
 - j. All funds contained in Morgan Stanley Account #xxx-xxxxx8-383 in the names of Cynthia Mills and Gary Mills;
 - k. All funds contained in Morgan Stanley Account #xxx-xxxxx2-383 in the names of Cynthia Mills and Gary Mills;
 - l. 2014 Silver Ford Focus hatchback, VIN# 1FADP3N26EL463197, PA license no. JSL-1282, registered to Stephen George Wachter, purchased for approximately \$24,029.25;
 - m. 2014 White Mercedes Benz E25 sedan, VIN# WDDHF9HB2EA946345, PA license no. JRY8459, registered to Gary Edward & Cynthia Ann Mills, purchased for approximately \$68,801.91;
 - n. 2014 Silver Mercedes Benz GL450, VIN# 4JGDF7CEXEA306071, PA license no. JBL1003, registered to Cynthia Ann and Gary Edward Mills, purchased for approximately \$75,995.61;
 - o. 2013 MD Meridian 441SB SDN Motor Yacht, Hull Number MDND7522C313 441SB522, Engine Numbers 73507847 and 73507464 named Players Club, purchased for approximately \$645,000.00.
2. Jurisdiction is predicated upon 28 U.S.C. § 1345 and § 1355(a). Venue is proper under 28 U.S.C. § 1395 and § 1355(b).
3. All of the above-described assets either have been seized or frozen pursuant to seizure warrants. The PNC Bank accounts, First National Bank accounts and First Commonwealth Bank account have been seized, and the funds are currently being held in the United States Treasury Suspense Account. The Wells Fargo and Morgan Stanley investment accounts have been frozen.

The two Mercedes Benz vehicles and the Meridian Yacht have been seized and are being stored in the Northern District of Ohio. The Ford Focus has been seized and is being stored in the Western District of Pennsylvania.

4. The Internal Revenue Service Criminal Investigation and the United States Postal Inspection Service have been investigating Cynthia Mills, former Treasury Specialist at Matthews International Corporation, for various violations of federal law, including wire fraud (18 U.S.C. § 1343), mail fraud (18 U.S.C. § 1341), bank fraud (18 U.S.C. § 1344), money laundering (18 U.S.C. §§ 1956 & 1957) and tax evasion (26 U.S.C. § 7201), all relating to the embezzlement of funds from her former employer Matthews International Corporation (“Matthews International”).

5. To date, the investigation has revealed that Mills embezzled funds from Matthews International in multiple ways starting in or around 2003. One of the methods of embezzlement involved unauthorized wire transfers.

6. From in and around October, 2013, and continuing thereafter until in or around May, 2015, in the Western District of Pennsylvania, Mills devised and intended to devise a scheme and artifice to defraud and for obtaining money and property by means of false and fraudulent pretenses, representations and promises, well knowing at the time that the pretenses, representations and promises were false and fraudulent when made.

7. As a Treasury Specialist, Mills was responsible for various financial functions at Matthews International, including initiating wire transfers to pay vendors.

8. It was part of the scheme and artifice to defraud that, in or around October, 2013, Mills opened a bank account at First National Bank, account number xxxx2359, in the name of Cynthia Mills d/b/a Designs by Cindy.

9. Mills was the only person with signature authority over the account, and she listed herself as the owner of the business.

10. It was further a part of the scheme and artifice to defraud that Mills fraudulently created a repetitive wire authorization form, which permitted her to initiate repetitive wires from Matthews International to the Designs by Cindy bank account at First National Bank.

11. It was further a part of the scheme and artifice to defraud that, during the relevant time period, Mills initiated approximately seventy-six (76) unauthorized wires, totaling approximately \$3.9 million, from a Matthews International bank account to the First National Bank account in the name Designs by Cindy.

12. Designs by Cindy provided no services or products to Matthews International and was not a vendor for the company.

13. In order to conceal the fraud, Mills took various actions, including altering Matthews International's bank statements and creating false invoices.

14. After obtaining the funds in her Designs by Cindy First National Bank account, Mills moved and spent the money in a variety of ways.

15. Mills moved embezzled funds into each of the bank and investment accounts listed above and used embezzled funds to make lavish purchases, including the above-identified vehicles and yacht.

16. Accordingly, the above-described assets were derived from proceeds traceable to wire fraud (18 U.S.C. § 1343); therefore, the assets are forfeitable pursuant to 18 U.S.C. § 981(a)(1)(C).

WHEREFORE, the United States of America respectfully requests that Judgment of Forfeiture be entered in favor of the United States for the Defendant Property, and that the United States be granted such relief as this Honorable Court may deem just and proper, together with the costs and disbursements of this action.

DAVID J. HICKTON
United States Attorney

s/ Lee J. Karl
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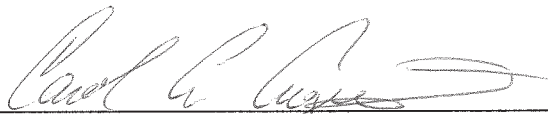
VERIFICATION

I am a Special Agent of the Internal Revenue Service-Criminal Investigations (IRS-CI) with the Department of Treasury and the case agent assigned to this case.

I have read the contents of the foregoing complaint for forfeiture and the statements contained therein are true and correct to the best of my knowledge and belief.

I verify under penalty of perjury that the foregoing is true and correct.

Executed on this 29th day of September, 2015.

A handwritten signature in cursive script, appearing to read "Carol August", is written over a horizontal line.

Carol August, Special Agent
IRS-CI